

## **Dave Ross**

### **EXPERIENCE**

Wisconsin Department of Justice, June 2016 to present (Director; Assistant Attorney General)  
Madison, WI

- Director of the Environmental Protection Unit.
- Responsible for managing the environmental litigation unit of the Wisconsin Department of Justice, which prosecutes violations of Wisconsin's environmental and natural resources laws and defends administrative decisions and rules issued by the Wisconsin Department of Natural Resources.
- Representative matters include: establishing enforcement priorities for the environmental protection unit; developing professional growth and training objectives for unit members; managing all human and technical resource matters for the unit; working with the Department of Natural Resources to modernize case management and referral processes; developing case assessment protocols to promote uniformity and consistency in prosecutions; determining objectives and success criteria for all new prosecutions; negotiating resolutions of complex agency defense matters; serving on environmental crimes task force with various federal and state agencies; advising the Wisconsin Solicitor General on federal environmental and natural resource litigation strategy; coordinating multi-state litigation challenging rule promulgated by U.S. Environmental Protection Agency expanding scope of the federal Clean Water Act; and serving as technical advisor to the legal work group of the Assumable Waters Subcommittee of the National Advisory Council for Environmental Policy and Technology.

Wyoming Attorney General's Office, 2014-2016 (Senior Assistant Attorney General)  
Cheyenne, WY

- Member of Water and Natural Resources Division.
- Responsible for representing the Water Quality Division of the Wyoming Department of Environmental Quality in all environmental and natural resources legal matters.
- Selected to represent the State of Wyoming on the Assumable Waters Subcommittee of the National Advisory Council for Environmental Policy and Technology.
- Representative matters included: water quality standard development; enforcement counseling; evaluation and litigation of proposed federal regulations affecting groundwater and surface water programs; counseling related to total maximum daily loads, use attainability analyses, water quality permitting, data quality programs, and nonpoint source projects; development of public records and related policies; enforcement and evidence training; legislative analysis; and rulemaking.

Sedgwick LLP, 2013-2014 (Partner)  
Washington, DC

- Member of Land Use and Natural Resources Group.
- Practice focused on Clean Water Act, Endangered Species Act, National Environmental Policy Act, federal wildlife, wetlands, storm water regulation and control, and project permitting.
- Representative matters included: peer review evaluation of offshore wind development projects for the U.S. Department of Energy; advising developers on the creation of wetland mitigation and endangered species conservation banks; managing a litigation team defending the issuance of an Endangered Species Act incidental take permit to a wind energy facility; advising developers on wetland permitting strategies; providing storm water compliance counseling to large national homebuilders; and performing environmental due diligence for investors in wind energy projects.

Crowell & Moring LLP, 2003-2013 (Counsel)  
Washington, DC

- Member of Environment, Energy and Resources Group.
- Practice focused on Clean Water Act, Clean Air Act, National Environmental Policy Act, federal wildlife, wetlands, storm water regulation and control, contaminated sites and hazardous material regulation (CERCLA/RCRA), and environmental aspects of transactions.
- Representative matters included: endangered species and wetland permitting counseling for renewable energy developers; legislative and regulatory Clean Water Act counseling for natural resources-based trade associations; managing NSR/PSD Clean Air Act litigation for cement manufacturer; litigation involving water quality standards for Florida, Chesapeake Bay, and Mississippi River Basin; strategic permitting counseling for mining companies and other large-scale project developers, focusing on Clean Water Act, Endangered Species Act, and National Environmental Policy Act compliance; species conservation and wetland mitigation bank development; counseling related to Clean Water Act and Rivers and Harbors Act jurisdiction; nationwide enforcement defense of major homebuilders involving storm water compliance; counseling related to state assumption of Clean Water Act regulatory programs; development of new source performance standards under the Clean Air Act; defense of RCRA enforcement actions; management of National Environmental Policy Act litigation for project developers; and evaluating environmental compliance audits as a third-party neutral in federal enforcement action.

Kelley Drye & Warren LLP, 2002-2003 (Associate)  
Washington, DC

- Member of Environmental Group.
- Practice focused on contaminated site remediation, brownfield transactions, due diligence, RCRA compliance counseling, CERCLA litigation, and Endangered Species Act counseling.

Foley & Lardner LLP, 2001-2002 (Associate)  
Milwaukee, WI

- Member of Regulatory Department.
- Practice focused on Clean Water Act counseling and wetland permitting, contaminated sediment remediation and litigation, brownfield redevelopment, and environmental due diligence.

Sharon Planning Commission, 1999-2000 (Clerk)  
Sharon, VT

- Evaluated subdivision plans, revised subdivision ordinance, drafted zoning regulation, provided testimony at state environmental board hearings, and kept records of public hearings.

Professor Stephen J. Dycus, 1999-2000 (Research Assistant – Vermont Law School)  
South Royalton, VT

- Research focused on water rights, public trust doctrine, institutional controls, national security issues, and nuclear waste disposal.

Ross Environmental Consulting, 1994-1998 (Principal)  
San Diego, CA

- Provided project management and environmental consulting services to the City of San Diego, Western Consortium for Public Health, and Montgomery Watson.
- Focused on designing, installing, and testing wastewater reclamation and repurification technologies (wastewater to drinking water), including drafting and implementing experimental plans, analyzing and modeling data, installing and operating equipment, performing public health studies, developing economic analyses of comparative water supplies and treatment systems, participating in technical advisory committee meetings, and drafting technical reports.

## **EDUCATION**

– *magna cum laude*

- Dean's Scholar
- Class Rank 4/170
- – Editor-in-Chief

Master of Studies in Environmental Law, 2001 – *summa cum laude*

B.A. – International Relations, 1994

Certificate in Environmental Studies, 1994

## **PROFESSIONAL AFFILIATIONS**

Admitted to practice law in the District of Columbia, Wisconsin and Wyoming. Member of the Environmental, Energy, and/or Natural Resources Law Sections of the American Bar Association (ABA-SEER), District of Columbia Bar Association, Wisconsin Bar Association, and Wyoming Bar Association.

## **SPEECHES AND PUBLICATIONS**

- Presenter, “An Update on the Nutrient Wars: Cooperative Federalism or Continued Conflict?” Wisconsin Department of Natural Resources Continuing Legal Education Seminar (October 2016).
- Instructor, Energy, Environmental and Natural Resources Law Clinic, Center for Law and Energy Resources in the Rockies, University of Wyoming College of Law (Fall 2014; Spring and Fall 2015).
- Presenter, “Application of Federal Wildlife Laws to Wind Energy Projects,” Federal Wildlife Course, University of Wyoming College of Law (April 2015).
- Presenter, “Federal Regulatory Developments in 2014: Implications for Oil and Gas,” Oil & Gas Development and Water Issues Conference Hosted by the American Institute of Professional Geologists and the American Ground Water Trust (March 2014).
- Presenter, “Challenging Agency Use of Environmental Models,” American Farm Bureau Federation, Legal Information and Networking Committee Annual Conference (September 2012).
- Presenter, “Endangered Species Act: Section 10 Incidental Take Permits,” Special Institute on Federal Regulation of Cultural Resources, Wildlife, and Waters of the U.S. Sponsored by the Rocky Mountain Mineral Law Foundation (April 2012).
- Presenter, “Clean Water Act,” Coal Law Short Course Sponsored by the Energy & Mineral Law Foundation at West Virginia Law School (August 2010).
- Presenter, “Regulatory Programs Affecting Coal Mining,” Coal Law Short Course Sponsored by the Energy & Mineral Law Foundation at West Virginia Law School (August 2010).
- Coauthor, “Nanotechnology and the National Environmental Policy Act,” *Nanotechnology: Environmental Law, Policy and Business Considerations*, Ch. 12 (2010).
- Coauthor, “Clean Water Act Compliance and Enforcement: EPA Targets the Coal Industry,” *Energy & Mineral Law Institute*, Vol. 29, Ch. 7 (2008).

- Coauthor, "When Sacred Sites Are Deemed More Precious Than Gold: The Glamis Gold Ltd. Claim For Compensation Under NAFTA," *Rocky Mountain Mineral Law Institute*, Vol. 58, Ch. 27 (2008).
- Coauthor, "Clean Water Act Enforcement Settlement May Be Harbinger For Rest Of Coal Industry," *Crowell & Moring Mining Law Monitor*, Vol. 24, No. 1 (Summer 2008).
- Presenter, "Enforcement Initiatives (and how to respond if you become the initiative)," Current Issues in Storm Water Regulation, Lorman Education Seminars (September and December 2005).
- Presenter, "Regulatory Runoff: Responding to a Storm Water Enforcement Action," National Stone, Sand & Gravel Association Environment, Safety & Health Forum (October 2005).
- Coauthor, "Nonpoint Source Pollution Control," in *The Clean Water Act Handbook*, Ch. 9 (2nd Ed. 2003).
- Coauthor, "A State of Change: Wisconsin Implements Wetland Mitigation Rules and Hastily Crafts Post *SWANCC* Wetland Protection Laws," *ABA SEER Water Quality and Wetlands Committee Newsletter*, Vol. 4, No. 1 (December 2001).
- Author, "Yucca Mountain and Reversing the Irreversible: The Need for Monitored Retrievable Storage in a Permanent Repository," *Vermont Law Review*, Vol. 25, No. 3 (Spring 2001).